

REMARKS

In an Office Action mailed on October 6, 2003, claims 45-48 and 50-52 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakajima in view of Nishida; and claim 49 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakajima, Nishida and Kinoshita. Newly added claims 53 and 54 are patentable over the cited art. The § 103 rejections are addressed below.

Rejections of Claims 45-49:

The method of claim 45 recites that each memory buffer is associated with a different group of two or more pixel cells.

The Examiner fails to establish a *prima facie* case of obviousness for independent claim 45 for at least two reasons. First, the Examiner fails to show where the prior art contains the alleged suggestion or motivation to combine the cited references and modify Nakajima, as set forth in the Examiner's rejection. In this manner, a *prima facie* case of obviousness requires a suggestion or motivation to combine references. The Examiner has not shown where the prior art contains such a suggestion or motivation for the combination of references and the proposed modification of Nakajima. See *Ex parte Gambogi*, 62 USPQ2d 1209, 1212 (Bd. Pat. App. & Int. 2001); *In re Rijckaert*, 28 USPQ2d 1955, 1957 (Fed. Cir. 1993); M.P.E.P. § 2143.

A *prima facie* case of obviousness has not been established for claim 45 for the additional, independent reason that even assuming, *arguendo*, that the combination of Nakajima and Nishida is proper, the combination of references fails to teach or suggest all claim limitations. More specifically, the Examiner acknowledges that Nakajima does not teach associating a memory with two or more pixel cells. Office Action, 3. Therefore, the Examiner relies on Nishida for this teaching. However, Nishida fails to teach or suggest the missing claim limitations. In this manner, the Examiner refers to the language in column 13 of Nishida, language that teaches combining multiple light emitting diodes to form one pixel. See, for example, lines 46-52 in column 13 of Nishida. However, these LEDs form a single pixel, and thus, this part of Nishida does not teach or suggest forming two or more pixel cells that are associated with a memory buffer. Furthermore, in the language specifically cited by the Examiner, Nishida states that even with this configuration, "it is still sufficient to provide single memory and single controller for the single display unit." Thus, Nishida fails to teach or suggest the missing claim limitations.

Therefore, for at least the reasons stated above, a *prima facie* case of obviousness has not been established for independent claim 45. Claims 46-49 are patentable for at least the reason that these claims depend from an allowable claim.

Rejections of Claims 50-52:

The light modulator of claim 50 includes memory buffers that are spacially distributed among pixel cells with each memory buffer being associated with a different group of two or more of the pixel cells.

The Examiner fails to establish a *prima facie* case of obviousness for independent claim 50 for at least the reason that the Examiner fails to show where the prior art contains the alleged suggestion or motivation for the combination of references and the proposed modification of Nakajima. Furthermore, the Examiner fails to establish a *prima facie* case of obviousness for independent claim 50 for at least the reason that neither Nakajima nor Nishida teaches or suggests the memory buffers and the distribution of the memory buffers, as recited in claim 50. See discussion of claim 45 above. Therefore, for at least any one of these reasons, a *prima facie* case of obviousness has not been established for independent claim 50.

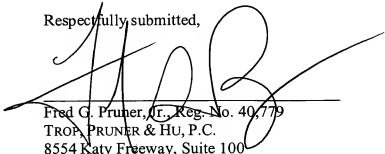
Claims 51 and 52 are patentable for at least the reason that these claims depend from an allowable claim.

CONCLUSION

In view of the foregoing, withdrawal of the § 103 rejections and a favorable action in the form of a Notice of Allowance are requested. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 20-1504 (ITL.0312US).

Respectfully submitted,

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